

## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/682,174	07/31/2001	Christian G. Van De Walle	108901	8988	
27074	7590 06/24/2002				
	ERRIDGE, PLC.	EXAMINER			
P.O. BOX 19 ALEXANDR	928 IA, VA 22320		PHAM, LONG		
			ART UNIT	PAPER NUMBER	
			2823		
			DATE MAILED: 06/24/2002	2	

Please find below and/or attached an Office communication concerning this application or proceeding.

			1/45 -			
	Application No.	Applicant(s)				
•	09/682,174	VAN DE WALLE,	VAN DE WALLE, CHRISTIAN G.			
Office Action Summary	Examiner	Art Unit				
	Long Pham	2823				
The MAILING DATE of this communication app Period for Reply	ears on the cover sho	eet with the correspondence ac	ddress			
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).  Status	36(a). In no event, however, or within the statutory minimum vill apply and will expire SIX (or cause the application to become state of the course the application to become state of the course the application to become	may a reply be timely filed  of thirty (30) days will be considered time by MONTHS from the mailing date of this come ABANDONED (35 U.S.C. § 133).	ely. communication.			
1) Responsive to communication(s) filed on	·					
2a) ☐ This action is <b>FINAL</b> . 2b) ☐ Thi	is action is non-final.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4) Claim(s) 1-35 is/are pending in the application						
4a) Of the above claim(s) is/are withdray	vn from consideratio	n.				
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) <u>1-35</u> are subject to restriction and/or e	election requirement.					
Application Papers	_					
9) The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.						
If approved, corrected drawings are required in reply to this Office action.						
12) The oath or declaration is objected to by the Examiner.						
Priority under 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign	priority under 35 U.	S.C. § 119(a)-(d) or (f).				
a) ☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documents	s have been received	d.				
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).						
a) ☐ The translation of the foreign language provisional application has been received.						
15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.						
Attachment(s)	_	•				
<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statement(s) (PTO-1449) Paper No(s)</li> </ol>	5) 🔲 Not	erview Summary (PTO-413) Paper Notice of Informal Patent Application (Page 1) er:				

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## **DETAILED ACTION**

## Election/Restrictions

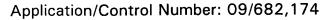
Restriction to one of the following inventions is required under 35 U.S.C.
 121:

- I. Claims 21-35, drawn to a method of making semiconductor device, classified in class 438, subclass 604.
- II. Claims 1-20, drawn to a semiconductor device, classified in class 257, subclass 615.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process such as one in which the first and second p-doped layers are formed in single deposition by varying the doping during the deposition.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to -- on -- to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long Pham whose telephone number is 703-308-1092. The examiner can normally be reached on M-F, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on 703-308-4918. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-4082 for regular communications and 703-746-4082 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

ong Pham

**Primary Examiner** 

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L. P.

June 16, 2002